

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-20 are pending. Claims 1, 5-7, 11, and 13 are amended. Claims 1, 5, 6, 7, 11, and 13 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 3, and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell (U.S. 6,083,106) in view of Yamazaki et al. (U.S. 5,547,382) and McClellion (U.S. 7,156,026);

claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell, in view of Yamazaki et al. and McClellion, and further in view of Simpkins et al. (U.S. 5,431,569);

claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki et al. in view of Uebel (U.S. 4,199,264);

claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki et al. in view of Uebel, and further in view of Sagara et al. (U.S. 5,050,587);

claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki et al. in view of Uebel and Sagara et al., and further in view of Clarkson (U.S. 6,122,991);

claims 11, 12, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell in view of Yamazaki et al., McClellion, and Ito et al. (U.S. 4,589, 532);

claims 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki et al. in view of McClellion, McDowell and Tosaki et al. (U.S. Patent No. 5,989,123);

claims 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell, Yamazaki et al., McClellion, and further in view of Uebel;

claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McDowell and Yamazaki et al., and further in view of McClellion and Tosaki et al.;

claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki, Uebel, McDowell, and McClellion; and

claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamazaki, McClellion, Tosaki et al., and McDowell, and further in view of Simpkins et al.

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 11, and 13

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, **independent claim 1** has been amended herein to recite a combination of elements directed to a riding simulation system, including

“a frame body having a cylindrical portion and at least two main frames having upper portions that are directly attached to the cylindrical portion and lower portions that are connected via a connection frame, the at least two main frames having curved shapes,

wherein a handle shaft portion of said steering handle mechanism is inserted into an upper portion of the cylindrical portion, and the connection shaft is disposed midway along

the connection frame which extend orthogonally with respect to the lower portions of the at least two main frames.”

In addition, **independent claim 11** has been amended herein to recite a combination of elements directed to a riding simulation system, including

“a frame portion including a cylindrical portion into which a handle shaft portion of the handle mechanism is inserted, and at least two curved main frames directly connected to the cylindrical portion,

the at least two curved main frames being connected via a connection frame extending laterally between lower portions of the two main frames, and the connection shaft is mounted along a central portion of the connection frame which extends orthogonally with respect to the lower portions of the two main frames.”

In addition, **independent claim 13** has been amended herein to recite a combination of elements directed to a riding simulation system, including

“a frame portion including a cylindrical portion into which the handle shaft portion is inserted,

wherein the first and second main frames are connected via a connection frame extending laterally between lower portions of the first and second main frames,

wherein the connection shaft is mounted along a central portion of the connection frame which extends orthogonally with respect to the lower portions of the first and second main frames.”

The Examiner concedes that **McDowell** fails to disclose a frame body having a cylindrical portion and at least two main frames.

Yamazaki et al. were cited to teach two pedals operable as a brake and a gear changer.

On page 4 of the Office Action the Examiner concedes that the combination of **McDowell** and **Yamazaki et al.** fail to disclose “lower portions of two main frames connected via a connection frame a connection shaft” and “the connection shaft is disposed midway along a connection frame with extends orthogonally with respect to lower portions of the two main frames.” The Examiner then cites **McClellion** to make up for the deficiency of **McDowell** and **Yamazaki et al.**

However, as can be seen in **McClellion** FIGS. 1 and 2, this document fails to disclose “the connection shaft is disposed midway along a connection frame with extends orthogonally with respect to lower portions of the two main frames,” as presently claimed.

In addition, on page 11 of the Office Action, the Examiner concedes that **Yamazaki et al.** fail to disclose a cylindrical portion into which the shaft handle portion is inserted.

On page 12 of the Office Action, the Examiner mistakenly assumes that **McClellion** discloses a frame portion including a cylindrical portion into which the handle mechanism is inserted upper transverse support 30 of **McClellion** discloses cylindrical portion 44 of the present invention.

As can be seen in FIGS. 1 and 2 of **McClellion**, this document merely discloses a U-shaped upper section 14 having curved upper transverse support 30 attached to the controller

platform 24, and having left and right downwardly extending legs 18a, 18b which are inserted, respectively, into upward extending legs 16a and 16b of the curved base section 12.

First of all, the Applicants submit that a U-shaped upper section 14 having curved upper transverse support 30 cannot possibly disclose the presently claimed cylinder portion 44. A cylinder by definition has a "straight linear axis." While the Examiner may argue that each of the legs 18a, 18b of the U-shaped upper section 14 of **McClellion** is cylindrical in shape, each of the legs 18a, 18b has only a single one of 16a, 16b attached thereto.

In addition, the **McClellion** shaft (not numbered) of steering wheel 32 certainly is not inserted into the U-shaped upper section 14.

Thus, **McClellion** fails to teach or suggest

a frame portion including a cylindrical portion into which a handle shaft portion of the handle mechanism is inserted,

wherein the first and second main frames are connected via a connection frame extending laterally between lower portions of the first and second main frames,

wherein the connection shaft is mounted along a central portion of the connection frame which extends orthogonally with respect to the lower portions of the (at least two/first and second) main frames, as set forth in independent claims 1, 11, and 13.

The **Tosaki et al.** document was cited merely to disclose a spring mechanism, and the **Ito et al.** document was cited merely to disclose a click mechanism.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 11, and 13 is not

disclosed or made obvious by the prior art of record, including **McDowell, Yamazaki et al., and McClellion, Tosaki et al., and Ito et al.**

Therefore, independent claims 1, 11, and 13 are in condition for allowance.

Amendments to Independent Claim 5, 6, and 7

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, each of **independent claims 5 and 7** has been amended herein to recite a combination of elements directed to a riding simulation system, including

“a vibrator ... including an eccentrically mounted weight mounted on a rotatable shaft of a motor of the vibrator extending from an outer end of the vibrator,

wherein each of the brackets includes a recess on an inner surface thereof, and when the brackets are mated directly together, the recesses of the mating brackets form a space in which the vibrator is disposed in a manner such that an axis of the rotatable shaft is maintained in fixed position with respect to the recesses of the brackets,

wherein ... and the eccentrically mounted weight is disposed in a portion of the brackets that is separate from each of the recesses.”

In addition, **independent claim 6** has been amended herein to recite a combination of elements directed to a riding simulation system, including

“a bracket having a hollow space ...

wherein a first portion of the hollow space is enclosed and includes two flat rectangular-shaped inner faces that are parallel to each other for receiving the two parallel flat sides of the vibrator in a manner such that an axis of a rotatable shaft of a motor of the vibrator is maintained in fixed position with respect to the two flat rectangular-shaped inner faces of the first portion of the hollow space,

wherein the vibrator includes an eccentrically mounted weight mounted on the shaft of the motor, the motor extending from an outer end of the vibrator so as to be disposed in a second portion of the hollow space that is separate from the first portion, and

wherein when the rotatable shaft of the motor is rotated, the eccentrically mounted weight causes the dummy engine vibration.”

Support for the novel features of claim 5, 6, and 7 can be seen in the application as originally filed, for example, in FIGS. 9-11.

By contrast, no combination of **Yamazaki et al.**, **Uebel**, and **Sagara et al.** can teach the subject matter of these claims.

The Examiner concedes that **Yamazaki et al.** fail to disclose mating brackets with recesses having flat inner faces. In addition, as can be seen in **Yamazaki et al.** column 17, lines 22-37, there is no indication that this document discloses an eccentrically mounted weight is mounted on a rotatable shaft extending from an outer end of the vibrator 175e.

In fact, **Yamazaki et al.** FIG. 6 merely disclose a block-shaped motor 175e with six rectangular sides that is inserted into handle end 175c and held in place by cap end 175d. Since no rotary shaft is shown extending from an outer end of the vibrator, the rotary shaft of

motor 175e is assumed to be inside the block-shaped motor 175e and covered by the six rectangular sides.

Recess 44 of **Uebel** certainly does not have a flat inner face. Moreover, the axis of the rotary shaft (12, 12, and 39) shown in FIGS. 1-3 is not maintained in a fixed position with respect to recesses of the brackets (or first portions of the hollow space), as is presently claimed in each of independent claims 5-7.

The **Sagara et al.** document was cited merely to disclose an eccentric cam.

At least for the reasons explained above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 5, 6, and 7 is not disclosed or made obvious by the prior art of record, including **Yamazaki et al.**, **Uebel**, and **Sagara et al.**

Therefore, independent claim 5, 6, and 7 are in condition for allowance.

Dependent Claims

Regarding the rejections of dependent claims 14 and 16 on pages 13 and 15 of the Office Action, it is noted that the Examiner states that since the Applicants have not traversed the official noticed facts taken in the Office Actions dated June 25, 2007, that the subject matter contained therein is “now considered prior art.”

Regarding **dependent claim 14**, the Applicants submit that no combination of Yamazaki et al. and Tosaki et al. discloses or makes obvious “the elastic members are interposed between said pair of clamping portions of said spring and said frame, as set forth in

dependent claim 14.” (See FIG. 21 for support, which illustrate clamping portions 50a, 50b of spring 50 and frame 52c.)

In the Office Action dated June 25, 2007, the Examiner admits that

- a) Yamazaki et al. fail to disclose a single spring, and
- b) Yamazaki et al. as modified by Tosaki et al. fail to disclose elastic members interposed between the pair of clamping portions of the spring and the frame.

The Examiner then asserts that the arrangement set forth in claim 14 is commonly known in the art, and yet has provided no evidence to support his assertion.

The Applicants hereby traverse the Examiner’s “official noticed facts” regarding dependent claim 14.

As set forth in MPEP 2144.03 C, “if applicant adequately traverses the examiner’s assertion of official notice the examiner must provide documentary evidence in the next Office Action if the rejection is maintained.”

The Examiner is hereby requested to provide documentary evidence to support his rejection of dependent claim 14, as required by MPEP 2144.03 C.

Regarding **dependent claim 16**, the Applicants respectfully submit that no combination of McDowell, Yamazaki et al. and Ubel can teach or suggest

“a bracket having a hollow space, the bracket being screw-engaged with an end portion of a steering handle pipe constituting said steering handle mechanism, wherein said

vibrator is inserted into the inside of said steering handle pipe in the state of being held by said bracket,

wherein the vibrator includes an eccentrically mounted weight extending from an outer end of the vibrator so as to be disposed in the hollow space,” as set forth in dependent claim 16.

On page 15 of the Office Action dated July 8, 2009, the Examiner states that “Ubel does not explicitly disclose the vibrator is screw engaged with the pipe, as required, however, as Official Notice was taken in the previous Office Action dated June 25, 2007 and not traversed, this feature is now admitted prior art.”

(The Examiner is advised that only claims 1-14 were pending on June 25, 2007, so Official Notice could not have been taken in the Office Action dated June 25, 2007.)

Nonetheless, in the Office Action dated July 8, 2009, the Examiner asserts that the arrangement set forth in dependent claim 16 is commonly known in the art, and yet has provided no evidence to support his assertion.

The Applicants hereby traverse the Examiner’s “official noticed facts” regarding dependent claim 16.

As set forth in MPEP 2144.03 C, “if applicant adequately traverses the examiner’s assertion of official notice the examiner must provide documentary evidence in the next Office Action if the rejection is maintained.”

The Examiner is hereby requested to provide documentary evidence to support his rejection of dependent claim 16, as is required in MPEP 2144.03 C.

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All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

All pending claims are now in condition for allowance.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

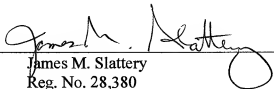
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

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Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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